

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Linda Riggan,

Case No. 23-CV-3817 (JMB/DTS)

Petitioner,

v.

**ORDER ON REPORT AND
RECOMMENDATION**

Bureau of Prisons,
Waseca FCI,

Respondents.

This matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge David T. Schultz dated January 10, 2024. (Doc. No. 6.) The R&R recommends that Petitioner Linda Riggan’s Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241 (Doc. No. 1) be denied for failure to exhaust administrative remedies, the matter be dismissed without prejudice, and the Application to Proceed in District Court Without Prepaying Fees or Costs (“IFP Application”) (Doc. No. 3) be denied as moot. (*See* Doc. No. 6.) Riggan did not file any objections to the R&R and the time to do so has passed. *See* D. Minn. L.R. 72.2(b)(1).

This Court reviews de novo any portion of an R&R to which specific objections are made; however, in the absence of objections, the Court reviews the R&R only for clear error. 28 U.S.C. § 636(b)(1); D. Minn. L.R. 72.2(b); *see also Grinder v. Gammon*, 73 F.3d 793, 795 (8th Cir. 1996) (noting that district court need only review unobjected-to R&R for clear error). The Court has reviewed the R&R and finds no error, clear or otherwise, in the Magistrate Judge’s reasoning.

Accordingly, IT IS HEREBY ORDERED that:

1. The R&R (Doc. No. 6) is ADOPTED;
2. The Petition for a Writ of Habeas Corpus (Doc. No. 1) is DENIED;
3. This matter is DISMISSED without prejudice; and
4. The IFP Application (Doc. No. 3) is DENIED as moot.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: February 16, 2024

/s/Jeffrey M. Bryan
Judge Jeffrey M. Bryan
United States District Court